

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

ABBOTT GMBH & CO., KG,	)	
ABBOTT BIORESEARCH CENTER, INC.,	)	
AND ABBOTT BIOTECHNOLOGY LTD.,	)	C.A. No. 4:09-CV-11340 (FDS)
	)	
Plaintiffs,	)	
	)	JURY TRIAL DEMANDED
v.	)	
	)	
CENTOCOR ORTHO BIOTECH, INC. AND	)	
CENTOCOR BIOLOGICS, LLC.,	)	
	)	
Defendant.	)	

**DECLARATION OF ANGELA VERRECCHIO IN SUPPORT OF CENTOCOR'S  
DAUBERT MOTION TO EXCLUDE EVIDENCE OF ALLEGED LOST PROFIT  
DAMAGES FROM ABBOTT EXPERT JULIE L. DAVIS AND MEMORANDUM IN  
SUPPORT**

I, Angela Verrecchio, declare and state as follows:

1. I am counsel at the law firm Akin Gump Strauss Hauer and Feld LLP, counsel for Centocor Ortho Biotech, Inc. and Centocor Biologics, LLC, and as such I am familiar with the facts stated herein.
2. Attached hereto as Exhibit 1 is a true and correct copy of *Apple, Inc. v. Motorola, Inc.*, No. 1:11-cv-08540, 2012 WL 195960 (N.D. Ill. May 22, 2012).
3. Attached hereto as Exhibit 2 is a true and correct copy of the May 16, 2011 Expert Report and Disclosure of Julie L. Davis. (***FILED UNDER SEAL***).
4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the January 13, 2011 deposition transcript of Jeffrey Stewart. (***FILED UNDER SEAL***).
5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the July 13, 2011 deposition transcript of Julie L. Davis. (***FILED UNDER SEAL***).

6. Attached hereto as Exhibit 5 is a true and correct copy of *Diabetes Centers of America, Inc. v. Healthpia America, Inc.*, No. 06-cv-3457, 2008 U.S. Dist. LEXIS 10052 (S.D. Tex. Feb. 11, 2008).

7. Attached hereto as Exhibit 6 is a true and correct copy of *Smith v. Pfizer* (In re Neurontin Mktg.), No. 05-cv-11515, 2009 U.S. Dist. LEXIS 118006 (D. Mass. Aug. 14, 2009).

8. Attached hereto as Exhibit 7 is a true and correct copy of *JRL Enterprises, Inc. v. Procorp Associates, Inc.*, No. 01-cv-2893, 2003 U.S. Dist. LEXIS 9397 (E.D. La. June 3, 2003).

9. Attached hereto as Exhibit 8 is a true and correct copy of *Total Containment, Inc. v. Dayco Prods., Inc.*, No. 97-cv-6013, 2001 U.S. Dist. LEXIS 15838, 2001 WL 1167506 (E.D. Pa. Sept. 6, 2001).

10. Attached hereto as Exhibit 9 is a true and correct copy of a document bearing bates numbers ABT-IL12-03899364- 530. (**FILED UNDER SEAL**).

11. Attached hereto as Exhibit 10 is a true and correct copy of a document bearing bates numbers ABT-IL12-01097779-823. (**FILED UNDER SEAL**).

12. Attached hereto as Exhibit 11 is a true and correct copy of a document bearing bates numbers COBI01634829-961. (**FILED UNDER SEAL**).

13. Attached hereto as Exhibit 12 is a true and correct copy of a document bearing bates numbers COBI01634693-695. (**FILED UNDER SEAL**).

14. Attached hereto as Exhibit 13 is a true and correct copy of a document beating bates numbers ABT-IL12-03296034-085. (**FILED UNDER SEAL**).

15. Attached hereto is a true and correct copy of Centocor's September 3, 2010 Notice of Deposition Pursuant to Federal Rule of Civil Procedure 30(b)(6) marked as Centocor Exhibit 237 at the January 13, 2011 deposition of Jeffrey Stewart.

16. Attached hereto is a true and correct copy of a letter from Maria Vento to Angela Verrecchio dated November 3, 2010 marked as Centocor Exhibit 238 at the January 13, 2011 deposition of Jeffrey Stewart.

17. Attached hereto is a true and correct copy of a January 18, 2011 press release from Skin & Allergy News "Abbott Withdraws Briakinumab Approval Application" marked as Centocor Exhibit 288 at the March 3, 2011 deposition of Joaquin Valdes.

18. Attached hereto is a true and correct copy of a document bearing bates numbers ABT-IL12-03905864-866 marked as Centocor Exhibit 295 at the July 13, 2011 deposition of Julie Davis. (***FILED UNDER SEAL***).

I declare under penalty of perjury that the foregoing is true and correct.

Date: June 29, 2012



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Angela Verrecchio

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Declaration of Angela Verrecchio in Support of Centocor's Daubert Motion to Exclude Evidence of Alleged Lost Profit Damages from Abbott Expert Julie L. Davis and Memorandum in Support along with exhibits cited therein was electronically mailed to counsel of record on June 29, 2012.

A handwritten signature in black ink, appearing to read "Angela Verrecchio", is written over a light blue horizontal line.

Angela Verrecchio